

MAR - 8 2019

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

CLERK U.S. DISTRICT COURT  
By: \_\_\_\_\_  
Deputy

UNITED STATES OF AMERICA

v.

Criminal No. 4:19-MJ-236

BRYAN MONTALVO (01)  
FRANCES MEDELLIN (02)

CRIMINAL COMPLAINT

Possession of a Controlled Substance with Intent to Distribute  
(Violation of 21 U.S.C. § 841)

On or about March 7, 2019, in the Fort Worth Division of the Northern District of Texas, defendants **Bryan MONTALVO** and **Frances MEDELLIN** did knowingly and intentionally possess with intent to distribute more than 50 grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B).

I, Mike McCurdy, Affiant, under oath, duly state that I am a special agent with Homeland Security Investigations (HSI) and that the statements set forth in this affidavit are true and correct to the best of my knowledge. The statements contained in this affidavit are not all of the facts known to the investigation, but are merely offered to establish probable cause.

1. On or about March 5, 2019, investigators with the Tarrant County Combined Narcotics Enforcement Team (CNET) received information Bryan MONTALVO was involved in distributing methamphetamine from the Super 7 motel located near the intersection of Interstate 35 and Alta Mesa Boulevard in Fort Worth, Texas.

2. On the evening of March 7, 2019, CNET investigators identified a room associated with MONTALVO, room #118, and began surveillance in the area. At approximately 8:18 p.m., investigators observed a silver Chevy Impala associated with MONTALVO arrive in the area of room #118. Based on a photo, investigators were able to identify MONTALVO as one of the people in the area of #118. At approximately 8:21 p.m., investigators observed MONTALVO hand a cardboard box to a female later identified as Frances MEDELLIN. At approximately 8:24 p.m., MEDELLIN carried the cardboard box to MONTALVO's silver Impala. Approximately one minute later, MEDELLIN carried the cardboard box from MONTALVO's Impala to room #118. At approximately 9:06 p.m., MONTALVO carried the cardboard box from room #118 to his silver Impala, and placed the box in the passenger compartment of the vehicle. MONTALVO entered the driver seat of the Impala. MEDELLIN entered the front passenger seat of the Impala. At approximately 9:08 p.m., the Impala left the parking lot of the Super 7. Surveillance followed the Impala from the Super 7 to Highway 287 in the area of Mansfield, Texas. A traffic stop was conducted on the Impala as the vehicle traveled at 75 miles per hour in a 70 mile per hour zone southbound on Highway 287.

3. While Tarrant County Sheriff's Deputy Jones was issuing MONTALVO a warning ticket, Tarrant County Sheriff's Deputy Rubalcaba's narcotics detection K-9, Ara conducted a free air sniff and alerted on the Impala.

Based on the alert, officers conducted a probable cause search of the Impala and located approximately one kilogram of methamphetamine in the same cardboard box described in paragraph 2 above. Officers discovered at least one digital scale in the vehicle, but not in the cardboard box. Officers also discovered a .40 caliber Smith and Wesson handgun (FBE3350) concealed on the person of MEDELLIN.

4. In a post-Miranda interview, MEDELLIN initially claimed ownership of the firearm and the methamphetamine. However, she later stated both actually belonged to MONTALVO. She said MONTALVO handed her the gun as they were being pulled over. After both individuals were placed in the back of a police vehicle, MONTALVO convinced MEDELLIN she should claim ownership of the drugs since she was already in trouble for possessing the firearm. MEDELLIN also said she had purchased one-fourth ounce quantities of methamphetamine from MONTALVO on approximately ten occasions since November 2018.

MEDELLIN admitted she had sold some of the methamphetamine she obtained from MONTALVO.

5. In a post-Miranda interview, MONTALVO stated the approximately \$6500 in cash found in his possession during the traffic stop included tax return money from his child's mother.

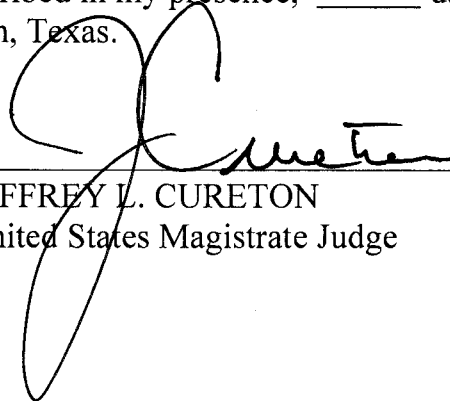
6. A field test of the drugs yielded a positive result for the properties of methamphetamine.

7. Based upon the above listed facts, your Affiant believes that probable cause exists that the defendants identified above did intentionally and knowingly possess more than 50 grams of a mixture and substance containing a detectable amount of methamphetamine with intent to distribute it.



Mike McCurdy  
Special Agent, HSI

Sworn to before me and subscribed in my presence, 8<sup>th</sup> day of March  
2019, at 10:00 a.m. at Fort Worth, Texas.



JEFFREY L. CURETON  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA

V.

BRYAN MONTALVO (01)

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§

NO. 4:19-MJ-236

ORDER APPOINTING FEDERAL PUBLIC DEFENDER

The above-named defendant has testified under oath, or has otherwise satisfied this court that such defendant (1) is financially unable to employ counsel, (2) wants to be represented by counsel, and (3) has not waived representation by counsel; accordingly,

It is ordered that the Federal Public Defender's Office for this District be and hereby is appointed pursuant to Section 3006A of Title 18, United States Code to represent the defendant named above.

It is further ordered that the Federal Public Defender's Office be given immediate access to the above-named Defendant.

Signed: March 8, 2019

  
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JEFFREY L. CURETON  
UNITED STATES MAGISTRATE JUDGE